

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
v.)	CASE NO.: 21-cr-0005
)	
JOHN D. WHELAN,)	
)	
Defendant.)	

DECLARATION OF DR. GERALD A. SHIENER, M.D.

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows,

1. I am Dr. Gerald A. Shiener. M.D.
2. I have over 44 years' experience as a Psychiatrist and conducted an evaluation of Dr. John Daniel Whelan on September 21, 2022 at the request of his lawyers, Mr. Ronald Chapman and Meggan Sullivan.
3. I have performed hundreds of court order psychiatric evaluations and testified approximately 100 times in court as an expert.
4. From Ms. Sullivan, I learned that the Government has moved the Court for an additional psychiatric and competency evaluation and has asked that the evaluation be done inpatient and by the Bureau of Prisons.
5. After spending 2 1/2 hours with Dr. Whelan, it is my opinion that an inpatient and

custodial evaluation would be detrimental to his health for the following reasons:

6. THERE IS NO NEED TO DIAGNOSIS DEMENTIA INPATIENT AND THAT IS NOT
REGULARLY DONE.

7. A CHANGE OF LOCATION AND A DISRUPTION IN HIS STRUCTURED
ROUTINE WOULD ADD TO HIS CONFUSION.

8. THERE IS NO NEED TO DETERMINE COMPETENCY IN GENERAL IN PATIENT.

I declare under penalty of perjury,

Date: December 13, 2022

Electronically Signed Gerald A. Shiener, MD

Dr. Gerald Shiener